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VIA LICENSING CORPORATION

[Additional counsel on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VIA LICENSING CORPORATION,

Plaintiff,

v.

HAIER AMERICA TRADING, LLC

Defendant.

Case No. 3:17-cv-03485-RS

JOINT STIPULATION AND
~~PROPOSED~~ ORDER TO STAY
PROCEEDINGS

1 WHEREAS, on June 15, 2017, Via Licensing Corporation (“Via”) filed a Complaint for
2 Breach of Contract Seeking Damages and Specific Performance (the “Complaint”) against Haier
3 America Trading, LLC (“HAT”) in the above-entitled action;

4 WHEREAS, on November 20, 2018, the parties signed a confidential settlement term
5 sheet (the “Settlement Term Sheet”) and agreed to work together to prepare a formal settlement
6 agreement consistent with the terms set forth in the Settlement Term Sheet;

7 WHEREAS, among other terms the Settlement Term Sheet requires HAT and related
8 entities to perform certain obligations on or before December 31, 2018, (collectively, the “Haier 2018
9 Obligations”);

10 WHEREAS, the Settlement Term Sheet contemplates that within three business days of
11 performance of the last of the Haier 2018 Obligations, the parties shall file a stipulation of dismissal
12 without prejudice which shall request that the Court retain jurisdiction to enforce the terms of the
13 Settlement Term Sheet or, if superseded by a formal settlement agreement, the terms of the formal
14 settlement agreement;

15 WHEREAS, this case is scheduled for a trial commencing on December 10, 2018, and
16 there are numerous interim deadlines in connection with this action;

17 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between Via and
18 HAT, by and through their respective counsel, that:

19 1. In light of the agreements reached in the Settlement Term Sheet, all proceedings
20 in the above-captioned action shall be stayed until January 31, 2019, and all currently-set deadlines
21 vacated, to allow the parties time to prepare a formal settlement agreement, and to allow time for the
22 performance of the Haier 2018 Obligations;

23 2. If for some reason, the parties do not file a stipulated dismissal by January 7, the
24 parties request that the Court set a case management conference at the next earliest available date in
25 January 2019 to discuss the case and set new deadlines as necessary.

1 Dated: November 21, 2018

/s/ Laura Kabler Oswell

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*Attorneys for Plaintiff VIA LICENSING
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15 Dated: November 21, 2018

/s/ Bryan G. Harrison (with permission)

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1 In compliance with Civil Local Rule 5-1(i)(3), the filer of this document attests that
2 concurrence in the filing of this document has been obtained from the other signatories above.

3 /s/ Laura Kabler Oswell
4 Laura Kabler Oswell
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~~PROPOSED~~ ORDER

PURSUANT TO THIS STIPULATION, AND FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.

Dated: 11/21/18



The Honorable Richard Seeborg
United States District Court Judge